

UNITED STATES DISTRICT COURT

for the
Southern District of OhioIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)1475 Stonewell Court, Columbus, Ohio 43119
and

White, 2012 Chevrolet Impala, VIN# 1G1ZB5E05CF25

Case No. 2:21-mj-778

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):
1475 Stonewell Court, Columbus, Ohio 43119 and a White, 2012 Chevrolet Impala, VIN# 1G1ZB5E05CF25, and further described in Attachment A.

located in the Southern District of Ohio, there is now concealed (identify the person or describe the property to be seized):

See Attachment B.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
☒ contraband, fruits of crime, or other items illegally possessed;
☒ property designed for use, intended for use, or used in committing a crime;
☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section	Offense Description
18 U.S.C. §922(a)(6)	Providing False Information or Fictitious Information When Buying Firearm

The application is based on these facts:

See attached Affidavit in Support of the Application.

- ☒ Continued on the attached sheet.
☐ Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Sworn to before me and signed in my presence.

Date: 12-6-21

City and state: Columbus, Ohio

Sean Eitel, TFO ATF

Applicant's signature

Sean L Eitel, Task Force Officer, ATF

Printed name and title

Chelsey M. Vascura

Judge's signature

Chelsey M. Vascura, United States Magistrate Judge

Printed name and title



AFFIDAVIT IN SUPPORT OF AN APPLICATION FOR A SEARCH WARRANT

I, Sean Eitel, Task Force Officer, ATF, hereinafter referred to as Affiant, being duly sworn, depose and state as follows:

INTRODUCTION

1. I have been a State Trooper for 21 years and have over 26 years of law enforcement experience. I have been assigned to Investigative Services, Ohio State Highway Patrol since 2016. In 2017, I was assigned to the Columbus Vehicle Theft and Fraud Unit. In 2019, I became a Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). During my time in law enforcement, I have investigated fraud cases related to stolen vehicles, property crimes, narcotics trafficking, and firearms related offenses. I have completed training through the Ohio State Highway Patrol and the Ohio Peace Officer's Training Academy relating to general investigation techniques, including investigating vehicle crimes, and am certified as an Evidence Technician. I have kept my training up to date by attending a variety of seminars and in-service trainings, as well as instructing in a variety of investigative procedures.
2. My training and experience has taught me the ATF Form 4473 (Firearms Transaction Record) is an official document used to transfer a firearm from a licensed dealer to an unlicensed buyer. Pursuant to federal law, the Federal Firearms License (FFL) dealer is required to obtain a completed form from the actual purchaser of a firearm before the FFL can transfer or sell a firearm to any unlicensed person. ATF Form 4473 gathers a host of information about the purchaser, including information to determine if the purchaser may lawfully possess a firearm. FFLs also may not transfer a firearm to an unlicensed person without first conducting a background check through the National Instant Check System (NICS) and recording the information on the ATF Form 4473. 18 U.S.C. § 922(t); 27 C.F.R. § 478.102. The NICS process is run by the Federal Bureau of Investigations (FBI) and provides the mechanism through which FFLs determine whether a particular purchaser is prohibited from possessing a firearm. Providing false or misleading information to an

FFL in connection with the acquisition of a firearm, e.g., lying on the ATF Form 4473, is a violation of federal law, 18 U.S.C. § 922(a)(6). Relevant here, your Affiant knows through training and experience that someone who commits 18 U.S.C. § 922(a)(6), is often referred to as a “Straw Purchaser”. A straw purchaser is the acquisition of a firearm(s) from an FFL by an individual (the “straw”), done by concealing the identity of the true recipient of the firearm(s). It should be noted that this is specifically addressed on the ATF Form 4473, line 21(a): *“Are you the actual transferee/buyer of the firearm(s) listed on the form and any continuation sheet(s) (ATF Form 5300.9A)? Warning: You are not the actual transferee/buyer if you are acquiring the firearm(s) on behalf of another person. If you are not the actual transferee/Buyer, the licensee cannot transfer the firearm(s) to you.”* It should be noted that the aforementioned scenario would be categorized as a form of “firearms trafficking”. Firearms trafficking is the unlawful firearms diversion done for the purpose of profit, power, and/or prestige, in furtherance of other criminal activity.

PURPOSE OF AFFIDAVIT

3. This affidavit is being submitted in support of a search warrant for 1475 Stonewell Court, Galloway, Ohio 43119 (“**Target Residence**”), and a white, 2012 Chevrolet Impala, VIN# 1G1ZB5E05CF258810, Ohio Registration JVZ1674 (“**Target Vehicle**”) (set forth in Attachment A).
4. Based upon my training, experience, and review of the evidence gathered by investigators assigned to this investigation, there is probable cause to believe that a violation of 18 U.S.C. § 922(a)(6) (Providing False Information or Fictitious Information to an FFL When Buying Firearm) occurred, which resulted in the purchase of firearms and ammunition. This affidavit is submitted in support of an application for a federal search warrant for evidence of that violation (set forth in Attachment B).
5. The facts and information contained herein are based upon my personal knowledge and experience and that of other law enforcement personnel involved in this investigation. This affidavit is intended to show only that there is sufficient probable cause for the requested search warrant and does not set forth all of my knowledge about this matter.

FACTS SUPPORTING PROBABLE CAUSE

6. My duties as an investigator for the Ohio State Highway Patrol includes overseeing or assisting with investigating crimes within the State of Ohio prison system. Your Affiant has knowledge of on-going cases related to contraband being dropped by drones onto prison property where it is then retrieved by prison inmates of the facility.
7. On September 27, 2021, Task Force Officer (TFO) Sean Eitel for ATF was contacted by an Investigator for the Cambridge District, Ohio State Highway Patrol, to report a message and jail calls heard between a mother and her inmate son to purchase firearms. The Investigator stated the Ohio State Highway Patrol Intelligence Unit monitored conversations recorded on the prison's Global Tel Link JPay system for the Noble County Corrections Facility. The Investigator forwarded the message and a transcript of part of the conversation recorded.
8. JPay is a messaging system used by the Ohio Department of Corrections, which gives inmates permission to send direct messages to people outside the prison system once a person downloads the app and creates an account using specific identifiers, such as their date of birth, and an email address. The inmate can then communicate to that person through the application. The format is similar to a text message on a cell phone.
9. On September 17, 2021, a message was captured on JPay between Mark WOLFORD (Inmate# A757785) and customer Tracy WOLFORD. Tracy WOLFORD has been identified as Mark WOLFORD's mother. The Intel person provided a snapshot of the message sent by Mark WOLFORD to Tracy WOLFORD. It reads, "please do this ASAP safety is important, sale ends September 30th, Vance's Outdoors obetz ohio. For me: CP33 PISTOL 22 LR 499.99, Blaze-47 SEMI-AUTO RIFLE 22 LR 299.99, WINDROSE 8" HUNTING BOOT SIZE 11 139.99, ELEMMENT DAY PACK REALTREE EXCAPE BOOKBAG 59.99, BROWNING PERFORMANCE AMMO 22LR 59.99 for 400 RDS. for you: YOU CHOOSE WHICH ONE, small pistol, normal size ammo -G2C COMPACT PISTOL 9MM 239.99."
10. Your Affiant received information that on September 22, 2021, Tracy WOLFORD purchased three

firearms at Vance Outdoors, 4250 Alum Creek Drive, Obetz, Ohio 43207. Surveillance video obtained by investigators shows a white female, identified as Tracy WOLFORD, at the cash register of Vance Outdoors at approximately 5:58 p.m. Shortly thereafter, surveillance video shows a white female, identified as Tracy WOLFORD, leaving Vance Outdoors with an orange grocery cart filled with one long brown rectangle shaped box, a black square box, a gray square shaped box, and a white grocery plastic bag.

11. The ATF Form 4473 used in the transaction at Vance Outdoors made by Tracy WOLFORD is dated September 22, 2021. The form identifies Tracy WOLFORD as the buyer and indicates that she purchased three firearms, including a KEL-TEC, Model CP33 pistol .22 LR (serial number MBJ98) a Mossberg, Model Blaze 47 rifle .22 LR (serial number RA0026930), and a Taurus Brazil, Model G2C pistol 9mm (serial number ACG969339). On the same form, when asked in line 21, "Are you the actual transferee/buyer of the firearm(s) listed on this form and any continuation sheet?" the "Yes" box is marked with an "X".

12. On September 22, 2021 at approximately 6:02 p.m., the following jail call was recorded between Mark WOLFORD (Inmate# A757785) and Tracy WOLFORD, using phone # 614-556-0809. Your Affiant has information that this number belongs to a cellular telephone device associated with Tracy WOLFORD.

- a. TRACY: "So, they didn't have my gun. They didn't have the G2, but they did have the G3 for \$249, so I got it."
- b. Mark WOLFORD: "Yeah, that's in the catalog too, it looks nice."
- c. TRACY: "Yeah, I got chrome top, black finish."
- d. Mark WOLFORD: "Did the rifle come in a big box or something?"
- e. TRACY: "The only thing they did not have was the 400 rounds of .22. I got you 2 [200] though."

During the conversation, Tracy WOLFORD and Mark WOLFORD are heard further discussing the guns Tracy purchased for Mark. Mark then asks Tracy to put the guns she purchased for him in her makeup room and send him video of the room with the guns displayed. Tracy confirms that she plans to do that.

13. Tracy WOLFORD lists her residence on ATF Form 4473 as 1475 Stonewell Court, Galloway, Ohio, 43119. Since September 22, 2021, Investigators have conducted surveillance at the **Target Residence**. Tracy WOLFORD has been seen entering and exiting the **Target Residence** on numerous occasions. In addition to telling Mark WOLFORD that she plans to hide the firearms she purchased for him in her makeup room at her residence, she also mentions putting the firearms in a safe in an undisclosed location.
14. While listening to the recorded jail call conversations between Mark WOLFORD and Tracy WOLFORD, your Affiant learned that Tracy WOLFORD has also used her vehicle to store firearms, ammunition, and firearms parts or accessories purchased for Mark WOLFORD. On one recorded jail call, Tracy WOLFORD tells Mark WOLFORD that she is going to keep the firearms and associated items she purchased at Vance's in her car until "people aren't paying attention," because she does not want to tip anyone off. The Ohio Bureau of Motor Vehicles records identifies a 2012 Chevrolet Impala, VIN# 1G1ZB5E05CF258810, Ohio Registration GVZ1674 as being titled to Tracy WOLFORD. Investigators have observed Tracy WOLFORD driving the **Target Vehicle** on several occasions. She was seen driving from her place of employment, Hilliard City Schools, where she is a bus driver, and arriving and parking at the **Target Residence**.
15. Your Affiant has determined that Mark WOLFORD is currently serving a term of incarceration at Noble County Correctional Facility in connection with several convictions to include: Failure to Comply, Ohio Revised Code (ORC) 2921.331, felony of the third degree, Firearms in a Motor Vehicle, ORC 2923.16, felony of the fourth degree, Drug Trafficking, ORC 2925.03, felony of the fourth degree, Drug Trafficking, ORC 2925.03, felony of the fifth degree, Attempted Felonious Assault, ORC 2903.11, felony of the third degree, and is prohibited from possessing firearms and ammunition. Mark WOLFORD's expected release date/parole eligibility date is, April 23, 2023.

CONCLUSION

Based on the foregoing facts, your Affiant believes there is probable cause to search the **Target Residence** and **Target Vehicle** for the items listed in Attachment B, which relate to a violation of 18 U.S.C. § 922(a)(6).

I respectfully request that the warrant be issued.

FURTHER AFFIANT SAYETH NAUGHT.

Sean Eitel, TFO ATF

Sean Eitel
Task Force Officer ATF

Subscribed to and sworn before me this 6 day of December, 2021.

Chelsey M. Vascara

Chelsey M. Vascara
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

The first location to be searched is the residence, curtilage, and outbuildings located at 1475 Stonewell Court, Galloway, Ohio 43119, Franklin County (hereinafter “**TARGET RESIDENCE**”). The **TARGET RESIDENCE** includes a single-family dwelling and detached garage with blue siding and white trim accents.

The second location to be searched is a white, 2012 Chevrolet Impala, VIN# 1G1ZB5E05CF258810, Ohio Registration JVZ1674 (hereafter “**TARGET VEHICLE**”). The **TARGET VEHICLE** is believed to be parked within or near the **TARGET RESIDENCE**.

ATTACHMENT B

ITEMS TO BE SEIZED

1. Firearms, ammunition, any firearm parts or accessories and any records or receipts pertaining to firearms and/or ammunition.
2. Photographs, including still photographs, negatives, video and/or digital media and the contents therein of potential evidence of illegal purchase of firearms and/or ammunition.
3. Packaging, wrapping, boxes, or other material related to possession or purchase of firearms and/or ammunition.
4. Correspondence, books, records, receipts, notes, ledgers, catalogs, and other papers relating to the transportation, ordering, purchasing of firearms and/or ammunition.
5. Cellular phones and other electronic communication devices belonging to Tracy WOLFORD.